



MEETING OF THE
TRANSPORTATION AUTHORITY OF MARIN
TAM

THURSDAY, October 26TH, 2006
7:30 PM

ROOM 330
MARIN COUNTY CIVIC CENTER
3501 CIVIC CENTER DRIVE
SAN RAFAEL, CALIFORNIA

MEETING MINUTES
TAM Board Meeting
October 26th, 2006

Members Present: Steve Kinsey, Chair, Marin County Board of Supervisors
Al Boro, Vice Chair, City of San Rafael
Susan Adams, Marin County Board of Supervisors
Hal Brown, Marin County Board of Supervisors
Charles McGlashan, Marin County Board of Supervisors
Thomas Cromwell, Belvedere City Council
Carole Dillon-Knutson, Novato City Council
Alice Fredericks, Tiburon Town Council
Melissa Gill, Corte Madera Town Council
Dick Swanson, Mill Valley City Council
Barbara Thornton, Alternate, San Anselmo City Council

Members Absent: Cynthia Murray, Marin County Board of Supervisors
Peter Breen, San Anselmo City Council
Amy Belser, Sausalito City Council
Joan Lundstrom, Larkspur City Council
Michael Skall, Ross Town Council
Lew Tremaine, Fairfax Town Council

Staff Members Present: Dianne Steinhauser, TAM Executive Director
Li Zhang, TAM Finance Manager
David Chan, TAM Programming Manager
Tho Do, Marin DPW Associate Civil Engineer
Jessica Woods, TAM Recording Secretary

Chair Kinsey called the Transportation Authority of Marin Meeting to order at 7:36 p.m.

1. Chair Reports

Chair Kinsey reported that in either November or December there will be a discussion of the Richmond-San Rafael Bridge Public Access Study. Within the next week, he will be meeting with MTC, a number of individuals from Caltrans and from BCDP, including BCDP Commissioner McGlashan, to discuss the public access study for a presentation to be made at a future TAM meeting. This is a longstanding question about how public access will be provided or could be provided on the Richmond-San Rafael Bridge as part of the Bay Trail system. Per a study currently underway, MTC is responsible for making some recommendations within the next few months. Also, Chair Kinsey, along with Commissioner McGlashan, attended an informative conference last week sponsored by UCLA related to climate change. It is a great context for TAM to be thinking about their decision-making over time. perhaps

during the 2007 TAM Board workshop TAM will have an opportunity to talk in some length about how transportation choices relate to the larger challenges we face as a nation.

2. Commissioner Matters not on the Agenda - None

3. Executive Director's Report

ED Steinhauser announced that she will be part of a panel discussing policy development in government this Saturday morning at the Third Annual Marin Women's Commission Community Summit. Also, she will be attending a TRB Conference in Seattle in early November and participating on a panel with MTC, SamTrans and the San Francisco County Transportation Authority on funding. Finally, she will attend a Self-Help Conference in San Diego in early December, participating in a panel there as well. The conference is held by self-help counties around the State as a mechanism of networking and discussing pertinent issues.

ED Steinhauser reported that work started on the northbound 101/Sir Francis Drake off ramp bike/ ped path barrier two weeks ago. A permanent barrier is being installed to protect pedestrians on the sidewalk; work is scheduled to be completed on November 24th. She then provided TAM with an Executive Director's Report for their review that included the following

- Federal
 - MTC TIP Approval for 2007 TIP
- State
 - Legislative Update
 - Infrastructure Bond Update, moving toward November 7th vote
- Regional
 - Richmond-San Rafael Bridge Rehab work, nearing completion so delays should diminish
- Local
 - TOD/PeD Toolkit progressing
 - Marin Bike/Ped Plan Updates progressing
 - Public Workshops:
 - West Marin, Nov. 1, Point Reyes Fire House
 - Southern Marin, Nov. 2, Mill Valley Community Center
 - Northern Marin, Nov. 8, Margaret Todd Center in Novato
 - Central Marin, Nov. 13, San Rafael Community Center
 - Greenbrae/101/580 Corridor technical studies progressing

ED Steinhauser noted that, at the CTC meeting on October 12th, TAM received SHOPP funds to enable the project that will widen the off ramp and better accommodate traffic movements where the ramp hits East Blithedale on Southbound 101 at the Tiburon Boulevard exit. The project is now scoped, agreeable to the community and to Caltrans, and fully funded. ED Steinhauser thanked Commissioner McGlashan for his efforts which led to approval of this project.

Commissioner Swanson stated he thought Prop 1B had a statutory requirement that any project to receive bond money had to start construction by December 31st, 2012. ED Steinhauser responded in the affirmative. Commissioner Swanson then asked staff if there are any eligible TAM projects that qualify and have PSR's. ED Steinhauser stated that both phases of the Marin Sonoma Narrows widening through Novato were part of a PSR done some time ago. The project is now at the Draft Project Report stage which becomes the scoping document. The Draft EIS/EIR will come out in December or early January. For 580/101, there was some PSR work done historically at that interchange. Staff has been looking, as part of the 101 project, what can be done to accommodate more

traffic from 580 traveling north to 101. Staff is looking at ways to accommodate that improvement, which could very easily be incorporated into a PSR. Staff is working with Caltrans on that project, with a goal to have this wrapped up by the end of November so these candidates fit into the decision process of Caltrans and MTC.

4. Commissioner Report
a. Executive Committee

Chair Kinsey noted that the minutes from the Executive Committee are provided in the packet. He wanted each Commissioner to be aware that the County is moving forward with the Nonmotorized Demonstration Program. The intention is to develop a recommendation to be presented to the Board of Supervisors in the spring. An Advisory Committee has been created that was selected by the Public Works Director to advise Public Works as they develop their recommendations on how to spend what will be about \$20 million on public education, infrastructure and other programs that would support nonmotorized improvements in the County. He encouraged each Commissioner and the public that this will be an open public process and the more the public and Commissioners engage their City Manager, Public Works, Community Development and Planning staff, the more likely they will be ready when opportunities come forward. He confirmed that since the last meeting, Vice Chair Boro and he visited Caltrans Sacramento headquarters office on a design exception for the soundwall through San Rafael on the east side, as part of Phase 4, which is the last segment of the Gap Closure project through San Rafael. Presently, the intention is that the soundwall would be moved a couple feet to the east. The Board members believe there will be significant improvement in the safety and functionality of the freeway without having to move the wall. He appreciated Vice Chair Boro joining him at the meeting. He was encouraged by the response from Caltrans. He further noted that the desire is to keep as much money as possible for projects that matter.

b. Marin-Sonoma Narrows Policy Advisory Groups

Chair Kinsey announced that the EIR is intended to be released in December. His concern is that Sonoma County's interest for funding projects is in the central part of their County and TAM's interest will be in the central part of this County leaving little support for the Narrows. He has asked for the opportunity to meet with Sonoma County but, at the present time, Sonoma County is not ready to meet. He wanted it to be reflected that TAM continues to reach out to Sonoma to explain that this is a regional corridor and it is Marin and Sonoma counties' highway shared together. He encourages the meeting continue to be pursued and a mutually agreeable strategy be developed.

ED Steinhauser noted that there is a lot of need for this entire corridor in both counties. This is the second most congested corridor in the entire Bay Area. Sonoma has too much need in the county, with the Narrows being a priority, but a lower one to other needs right now. TAM has historically supported the Narrows, but they also have a lot of congestion at 580/101 that is hard to ignore. Part of the difficulty in the discussion in November is that TAM will not be able to get everything out of this bond. The bond is a down payment and hopefully it will get them much further along in addressing these congestion issues. They will probably end up with a split vote whether Narrows or widening the Central portion of the County is more important.

Chair Kinsey believed it is important to continue trying to work with Sonoma. The section of Highway 101 between the two counties will never be looked at the same way. With a statewide program, this may be the one of the few chances of finding funding for a project.

c. SMART

Vice Chair Boro reported that SMART met last Wednesday he had nothing of significance to report.

Commissioner Gill discussed the bicycle workshops that will occur and asked staff why Corte Madera was not placed with Ross Valley in the same geographical area. She wished staff contacted her for input before that decision was made and requested that, in the future, staff contact her in that regard. ED Steinhauser committed it was not too late for staff to effect some change and agreed to contact Commissioner Gill.

5. Consent Calendar

- a. Approval of TAM Minutes of September 28, 2006. Recommendation: Approve.
- b. PHA Contract Amendment for Crossing Guard Field Monitoring. Recommendation: Authorize the Chair to execute an addendum to the Professional Services Contract with PHA Transportation Consultants to provide "on call" data collection for the Crossing Guard Program for an amount not-to-exceed \$10,000.
- c. 2007 Meeting Calendar.
- d. Administrative Code Update. Recommendation: Adopt revisions to the TAM Administrative Code to comply with AB 1234 to define a budget amendment policy by including a budget amendment section.

Chair Kinsey pulled off the Administrative Code Update, which is Item 5d of the Consent Calendar and pointed out that as indicated in the Executive Committee minutes it was reviewed at the Executive Committee, but for the purpose of due process, TAM will not be taking action tonight on the Administrative Code. It will be opened up for a 30-day public review and, therefore, removed from the Consent Calendar. He indicated that TAM will take up that item separately to acknowledge the opening of the public comment period.

The item was opened to public input, and seeing no one wishing to speak, the public input was closed.

Vice Chair Boro noted a correction to page 9 of 13 of the minutes and stated that "*Davidson School*" should be changed to "*Bahia Vista School*."

Chair Kinsey asked for a motion.

Commissioner McGlashan moved and Commissioner Gill seconded, to adopt the Consent Calendar as amended. Motion carried unanimously by TAM.

Chair Kinsey asked for another motion.

Commissioner Adams moved and Commissioner Fredericks seconded, to open the 30-day public review period on the Administrative Code Update, which is Item 5d. Motion carried unanimously by TAM.

6. Caltrans Report – Doanh Nguyen

Doanh Nguyen, Caltrans representative, stated that work on Highway 1 is scheduled to start in mid-November. The detour will primarily be through the Panoramic Highway as well as Muir Woods Road. They anticipate work to be completed by March of next year.

Chair Kinsey added that this closure of Highway 1 from Muir Beach north to Stinson Beach would be a significant inconvenience. It will cause a rerouting for local transit out in West Marin during that period of time and that information from the Transit District especially must get out to the public.

Commissioner McGlashan thanked Caltrans and ED Steinhauser for their hard work on the Blithedale off ramp project.

7. Amendment to Strategic Plan for Major Road Project Allocation

ED Steinhauser summarized the staff report and recommended that TAM review the amendment to the Strategic Plan's Revenue and Expenditure element and consider it for approval at the November 16, 2006 meeting, after allowing time for additional public comment. An allocation of funds to the project sponsors is anticipated to occur immediately following the adoption of the amendment in November.

Hank Haugse, Nolte Team, stated that the City of Novato and Mill Valley have both moved forward with their projects more quickly than anticipated at the time of the Strategic Plan adoption in June 2006, and requested funding for their projects. The project in Mill Valley is Miller Avenue and that is currently in the environmental stage. Mill Valley is requesting \$250,000, to match at least that amount in other local funds for the EIR work. Novato is proposing to do an overlay of the southern end of Novato Boulevard and they are requesting \$72,000. He further added that this was reviewed and approved by the TAC and the Executive Committee.

Commissioner Fredericks asked Mr. Haugse to explain the specific projects. Mr. Haugse responded that they are included in the spreadsheet under Attachment 3-3. Five projects in all, one from each planning area, are under development. He pointed out that San Rafael is not ready for a funding allocation for their Fourth Street project at this time. San Rafael, as part of their development process, is making revisions to their project. Novato's first phase of their project is an overlay. ED Steinhauser added that funding shown for Ross Valley and West Marin are both Sir Francis Drake projects. The project in West Marin is Sir Francis Drake Blvd. through Samuel P. Taylor Park; a consultant is being hired to begin the environmental scoping process. The project in Ross Valley is Sir Francis Drake Blvd. between Highway 101 and the Town of Ross. The San Rafael project will probably be the first project to come forward for an allocation of funds for construction. The rest of the projects are in the early phase related to environmental work and design activity. In regard to the Miller Avenue project in Mill Valley, the Specific Plan work occurring involves transportation as well as land use and the TAM funds are only for the transportation element of that environmental document. They have matching funds of \$300,000 to 400,000 from other sources with a combined total of \$500,000 to \$600,000 for the Miller Avenue Specific Plan EIR.

The item was opened to public input, and seeing no one wishing to speak, the public input was closed.

Chair Kinsey asked for a motion.

Commissioner Adams moved and Commissioner Dillon-Knutson seconded, to review the amendment to the Strategic Plan's Revenue and Expenditure element and consider it for approval at the November 16, 2006 meeting, after allowing time for additional public comment. An allocation of funds to the project sponsors is anticipated to happen immediately following the adoption of the amendment in November. Motion carried unanimously by TAM.

8. Nolte Contract Amendment

ED Steinhauser summarized the staff report and recommended that TAM approve an amendment to the Nolte design contract to cover unforeseen work for the Puerto Suello Hill multi-use path and sound-absorbing soundwall final design and construction packaging, not-to-exceed \$451,200. This would extend the Nolte Contract with TAM until June 2007 for the sole purpose of providing necessary design support during the project bid period and early in the construction phase.

Chair Kinsey added that the Executive Committee discussed this matter and it seems this is a challenging project to deal with. They must coordinate with SMART and there are a number of issues as well as additional utility work that was discovered. He further noted that the Executive Committee was supportive.

The item was opened to public input, and seeing no one wishing to speak, the public input was closed.

Chair Kinsey asked for a motion.

**Commissioner Adams moved and Commissioner Dillon-Knutson seconded, to approve an amendment to the Nolte design contract to cover unforeseen work for the Puerto Suello Hill multi-use path and sound-absorbing soundwall final design and construction packaging, not-to-exceed \$451,200. Extend the Nolte Contract with TAM until June 2007 for the sole purpose of providing necessary design support during the project bid period and early in the construction phase.
Motion carried unanimously by TAM.**

9. FY05-06 Year End Report

ED Steinhauser pointed out that in the supplemental agenda, based on recommendations of Commissioner Swanson, staff revised the table to show percentage changes along with the budget and actual dollar variances. This is unaudited and, currently, TAM is working with an auditor to finalize the 05/06 audit. Staff will come back with a final version.

Li Zhang, Finance Manager, explained that the packet provides a comparison between what was budgeted for FY 05/06 as revenues and expenditures of what actually came in for that year. Staff explained that the Board authorized an agreement between TAM and the Auditor-Controllers Office of Marin County back in June. The County Auditors Office is assisting TAM with all accounting-related activities. They are helping to process all the sales tax revenues, pay the bills and assist with other accounting related activities. The County's Treasurer is acting as TAM's Treasurer. The County charges \$5,500 per year for all services. Staff wants TAM to adopt an investment policy, in the future, and have the Board review the policy annually to make sure it is in place when needed. Staff is working with TAM's Financial Advisors and plans to present a draft policy for review in January. According to the Administrative Code, TAM staff must report all revenues and expenditures activities to the Board on a quarterly basis. Due to the staff limitation this did not occur in the past, and staff hopes to start this year. Currently, the County is testing the accuracy of the new SAP system, so staff proposed that the report wait until January and then staff will bring a mid-year revenue and expenditure report for review. From that point forward staff will report on a quarterly basis. Staff met with their auditor, R. J. Ricciardi, and developed a draft timeline for the FY 05/06 audit. A draft report will be submitted to the Citizens Oversight Committee for review in December, tentatively, and plan, to bring the final report to the Board for review in January or February.

Mary Klingensmith, Nolte Team, walked TAM through the revised supplemental table and package. Staff assumed a more ambitious and faster startup than TAM was able to achieve in terms of

administrative cost and delivering major projects and programs. Expenditures are less than anticipated. Also, the fact that when they put together the budget, there was an assumption that financing might be needed for the Highway 101 Gap Closure project and that was not used in FY-06. This resulted in a \$5.5 million variance in terms of revenues and expenditures because it was an option not used. In terms of revenues, the STP/CMAQ funds and the CBT funds are both reimbursement programs that require TAM to expend funds once the consultant is paid. It is a negative variance as a result of incurring the expenditure, but not having the ability to request reimbursement in time for those funds to come in FY-05/06. With regard to the RM2 line item, it is a reimbursement process, so revenues are less than what was budgeted because, again, staff was not able to process a reimbursement request in time for inclusion in FY 05/06. Also, they did not incur this expenditure as quickly as initially forecasted. Another significant change lies within the BAAQMD/TFCA funds. When TAM was developing its budget, the county was responsible for handling these pass-through funds TAM took over this responsibility after the budget process was completed which resulted in this \$400,000 variance. Under professional services for expenditures, one can see TFCA payments which reflect the pass-through payments that were not budgeted at that time.

In terms of Measure A revenues, the \$20,043,020 listed in the "Actuals" column, is a reflection of splitting the accrued funds between FY 05/06 and FY 06/07.. Based on a discussion with TAM's auditor, it was decided to treat the payment that comes in July as revenue for that fiscal year. So the \$20 million has a \$590,000 accrual that represents half of the BOE payment that was received in July. When the final audited version is compiled, there will be a \$590,000 one-time hit, in order for TAM to put itself on a "cash basis" for BOE payments. Currently, that variance looks very good and will look like it is under, but that is the result of an accounting procedure.. In the Administration section, there is a negative variance of \$215,000 in the Salaries & Benefits line item which, again, represents a slower start up in the hiring of staff. In the Line of Credit/Debt Expense, there is a credit of \$5.5 million that was not incurred. She explained that it appears there is 86% negative variance; however, if you back out that line of credit and debt expense item they are actually tracking 31% less in expenditures on the administrative side than what was forecasted. The professional services section is as expected. With regard to Measure A programs and projects, significantly less was spent than was budgeted for Strategies 3 and 4... Money was not distributed as quickly as originally forecasted, so it is slower on the expenditure side. In the reserve line item, \$1.98 million was budgeted but, actually, there is only \$1 million. This is the result of Board action determining that a 5% reserve was more appropriate than 10%. Also, at the Executive Committee meeting, a question was asked about what the rollover would be and she found the minutes inaccurate. She explained that the delta between revenues for the year and cost is \$10 million and that \$10 million is what will be rolled over to the FY 06/07 balance.

Commissioner Swanson commented on the cash flow and asked if there is sufficient money in an account for the overall County to draw from. Ms. Klingensmith responded that a trust fund was established solely for Measure A revenues. All BOE payments come into a separate fund in order to track interest, and there are no payments actually made out of that trust fund. It is transferred to a general operating fund. ED Steinhauser explained that when a bill is paid they must draw the money out of the trust fund into the checking account (operating funds) and then they pay that exact same amount out, which happens constantly. It is managed through staff's ability to enter payables into the SAP system; all special districts were provided the ability to enter and utilize SAP, so that is done within TAM staff.

Commissioner Brown clarified that the \$20 million is from July to July. Consultant Klingensmith responded that it is half of July 2005 through half of July 2006. Commissioner Brown asked if the \$223,000 is an expected variance. Ms. Klingensmith responded that Nancy Whelan, a consultant to

TAM, did the forecasting and she took a conservative approach in forecasting those revenues. They have all been tracking this carefully to see a trend.

Finance Manager Zhang added that after they have six months of payment they will have a better understanding as to whether it will be a significant increase or decrease.

Commissioner Brown stated that one could never go wrong by being conservative on projections. ED Steinhauser added that the Strategic Plan assumes no growth. It is a flat rate for 20 years, so within this next four or five years, if, in fact, a growth trend is seen, staff will adjust the money that is programmed to the strategies. Finance Manager Zhang added that staff at this time projects no real growth.

Vice Chair Boro is trying to relate both documents in front of TAM regarding Attachment 1 that talks about net sales tax available for strategies for FY 06/07, at \$17 million and relating that number with the \$12 million. ED Steinhauser responded that they take down the off the top expenditures such as BOE payments to administer the sales tax, the staff cost for administering the sales tax and then it trickles down into strategies below.

Vice Chair Boro stated that the net amount available is \$17,552, yet the subtotal shows \$12,189, so he asked staff what is the difference. ED Steinhauser explained that when they adopted the original budget, they did not budget all of the funding to the strategies. For example, the local infrastructure funds for Strategy 3 accumulates about \$4.2 million per year and the budget adopted a lower amount because that is what they predicted would be spent last year. The \$12 million was predicted to be spent when the budget was adopted. The budget amount is really the best guess on how much of the measure funds would be spent. The spreadsheet before the Board is what each strategy is allowed to spend on an annual basis and the budget is what actually staff predicts will most likely happen. The difference is between all funds available, and an annual budgeted amount to be spent that year.

Vice Chair Boro pointed out that the \$6 million surplus is because only \$12 million was allocated in strategies versus the \$17 million. ED Steinhauser agreed. Vice Chair Boro wanted to view such a report quarterly. ED Steinhauser noted that come January, staff will report on two quarters and then report quarterly after that.

The item was opened to public input, and seeing no one wishing to speak, the public input was closed and TAM moved on to the next agenda item.

10. Highway 101 Update

Connie Preston, Consultant, summarized the staff report and discussed the IJ article about the new alignment being complete on Francisco Boulevard West. A ceremony is being held tomorrow at noon at RAB Motors to celebrate the milestone and to thank the businesses for their patience during construction. She invited all to attend.

Chair Kinsey asked staff to confirm once again that they are looking at the possibility of making an auxiliary lane expansion at the 580 northbound merge as part of Segment 3. Consultant Preston responded in the affirmative. Also, a draft traffic study was received and they are working on setting up a follow up meeting with Caltrans in the next couple of weeks.

Chair Kinsey noticed there might be an opportunity to improve bicycle and pedestrian activities on East Francisco Boulevard, but that the City of San Rafael had some responsibilities to address. In response to a question from Chair Kinsey as to whether the City was following through on those issues, Ms.

Preston responded in the affirmative. Ms. Preston responded that San Rafael is moving forward in a timely manner.

The item was opened to public input, and seeing no one wishing to speak, the public input was closed and TAM moved on to the last agenda item.

11. Open Time for Items Not on the Agenda

Deb Hubsmith, MCBC, announced an exciting funding opportunity for Safe Routes to School. She explained that Caltrans released a call for applications for \$45 million for local jurisdictions to be able to make both infrastructure and non-infrastructure improvements. This is from the Federal funds approved as part of SAFETEA-LU. The application guidelines are available at Caltrans Local Assistance homepage. They increased the amount of money that can be applied for - up to \$1 million for infrastructure grants and up to \$500,000 for non-infrastructure grants. The grant application deadline is January 2, 2007. She encouraged all to start soon since letters of support from schools and stakeholders in the area will be required..

ED Steinhauser stated that as part of the Safe Routes to School contract with Parisi & Associates, staff coordinates and sponsors a minimum of two applications into this Federal Safe Routes to School Program. Staff is looking at up to four applications this year with TAM staff. Also, Dave Parisi has been coordinating with the various jurisdictions. They have a small set of best projects to move forward. Both Deb Hubsmith and Dave Parisi have been instrumental in providing this County with information on what kinds of projects will score best in this statewide competition.

Chair Kinsey announced that Vice Chair Boro will Chair the November TAM meeting.

By Order of Chair Kinsey, the TAM meeting adjourned at 8:46pm.